

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

T-MOBILE WEST LLC and INDEPENDENT
TOWERS HOLDINGS, LLC,

Plaintiffs,

v.

THE CITY OF MEDINA,

Defendant.

No. 2:14-CV-1455-RSL

DECLARATION OF SCOTT
THOMPSON IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO
INTERVENORS' MOTION FOR
RELIEF FROM BRIEFING
DEADLINE

Thomas Scott Thompson declares and states:

1. I am a Partner in the law firm of Davis Wright Tremaine LLP and am counsel for Plaintiff T-Mobile West LLC in this case. I am over the age of 18 years, competent to testify herein, and make this declaration on personal knowledge of the facts stated.

2. Attached hereto as Exhibit A is a true and correct redacted copy of the first 4 pages of a "Settlement Report" created by Richard Conroy. I have redacted the Settlement Report to remove any confidential settlement communications. By submitting this redacted version, Plaintiffs reserve and do not waive their claim to exclusion of all settlement communications under F.R.E. 408. The redacted version of Mr. Conroy's Settlement Report is submitted only for the purpose of establishing that the Settlement Report clearly stated that it was being communicated solely for purposes of confidential settlement discussions.

Thomas Scott Thompson

CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

| | |
|-----------------------|--|
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Lynn Michel

EXHIBIT A
(REDACTED PAGES OF SETTLEMENT REPORT OF RICHARD CONROY)

UNITED STATES DISTRICT COURT
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T-MOBILE WEST LLC and INDEPENDENT
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THE CITY OF MEDINA, WASHINGTON

Defendant.

Civil Action No.: C14-1455RSL

**Expert Report of Richard Conroy
Regarding Proposed Settlement**

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Appendix 1: Richard Conroy Curriculum Vitae

I. Background

1. I am the President of PierCon Solutions, LLC, a New Jersey company specializing in the provision of radio frequency engineering, design and consulting services to the wireless communications industry since 1998. I have twenty-seven years' experience designing complex cellular, PCS and Public Safety communication networks throughout the United States. I have specific training, experience and education in the design of advanced digital wireless networks, including T-Mobile's Second Generation ("2G")¹ network based on GSM, GPRS and EDGE technologies, T-Mobile's advanced wireless networks including its Third Generation ("3G") network based on UMTS (Universal Mobile Telecommunications System) technologies, and its Fourth Generation ("4G")² network using HSPA+ and LTE technology; all networks are operated by T-Mobile in the City of Medina, Washington. T-Mobile's 2G and 3G/4G networks are used to provide personal wireless services. A copy of my *curriculum vitae* is attached hereto as Appendix 1.
2. References in this Report to "Medina" are to The City of Medina Washington, the Defendant in this matter. References to "T-Mobile" are to the Plaintiff T-Mobile South LLC, the Plaintiff in this matter. References in this report to "Fairweather Park Site" or "SE08014A" refer to 7621 NE 32nd Street, Medina WA; the proposed location for the wireless facility at issue in this matter.
3. This report is prepared solely for purposes of use by the Plaintiffs and City in support of a proposed settlement

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This report is **not** the complete report that I would perform and present as an expert witness in the litigation and is intended for use only as part of the settlement discussions. Nonetheless, the conclusions in this report are the result of the same rigorous professional and expert analysis, based on complete and accurate data, as I would use in my full Rule 26 expert report.

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